

a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture*

**15190. Adulteration and misbranding of cottonseed meal. U. S. v. 40 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture and sale. (F. & D. No. 21500. I. S. No. 15219-x. S. No. W-2067.)**

On December 27, 1926, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 40 sacks of cottonseed meal, remaining unsold in the original packages at Nara Visa, N. Mex., alleging that the article had been shipped by the Chillicothe Cotton Oil Co., Chillicothe, Tex., December 13, 1926, and transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "43 Per Cent Protein Cottonseed Meal, Prime Quality."

Misbranding of the article was alleged in substance in the libel for the reason that the statements, to wit, "43 Per Cent Protein Cottonseed Meal," borne on the label, were false and misleading and intended to deceive and did deceive the purchaser.

Adulteration was alleged for the reason that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed meal which the said article purported to be.

On May 6, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture*

**15191. Adulteration of tomato paste. U. S. v. 51 Cases of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21534. I. S. No. 12475-x. S. No. C-5308.)**

On January 15, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 51 cases of tomato paste, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by John S. Mitchell, from Sharpsville, Ind., November 22, 1926, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Economy Bell Brand Concentrated Tomato Concentrato Di Pomodoro \* \* \* Packed Expressly For R. Gerber & Co. Chicago."

It was alleged in substance in the libel that the article was adulterated, that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 10, 1927, John S. Mitchell, Inc., Sharpsville, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be salvaged and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture*

**15192. Adulteration of oranges. U. S. v. 1 Freight Car of Oranges in Bulk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21892. I. S. No. 11679-x. S. No. C-5457.)**

On or about April 6, 1927, the United States attorney for the Middle District of Tennessee, acting upon a report by an official of the State of Tennessee, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 freight car of oranges in bulk, at Nashville, Tenn., alleging that the article had been shipped by the Florida Citrus Exchange, Tampa, Fla., from Lake Hamilton, Fla., on or about April 1, 1927, and transported from the State of Florida into the State of Tennessee, and charging adulteration in violation of the food and drugs act.